

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

| | | |
|-------------------------------|---|------------|
| ROBERT EARL CLAYBORNE JR., |) | 8:15CV198 |
| |) | |
| Plaintiff, |) | |
| |) | MEMORANDUM |
| v. |) | AND ORDER |
| |) | |
| SCOTT FRAKES, <i>et al.</i> , |) | |
| |) | |
| Defendants. |) | |
| _____ |) | |

This matter is before the court on its own motion. Plaintiff filed a Notice of Appeal (Filing No. [62](#)) on November 14, 2016. However, Plaintiff failed to include the \$505.00 filing and docket fees. Plaintiff has the choice of either submitting the \$505.00 filing and docket fees to the clerk's office or submitting a request to proceed in forma pauperis. Failure to take either action within 30 days will result in the court dismissing this case without further notice to Plaintiff.

IT IS THEREFORE ORDERED that:

1. Plaintiff is directed to submit the \$505.00 fees to the clerk's office or submit a request to proceed in forma pauperis within 30 days. Failure to take either action will result in dismissal of this matter without further notice.
2. The clerk of the court is directed to send to Plaintiff the Form AO240 ("Application to Proceed Without Prepayment of Fees and Affidavit").
3. The clerk of the court is directed to set a pro se case management deadline in this matter with the following text: December 16, 2016: Check for MIFP or payment.

November 16, 2016.

BY THE COURT:

s/ Richard G. Kopf
Senior United States District Judge